

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

NAVIGATOR CAPITAL PARTNERS, L.P., on	x	
behalf of itself and all others similarly situated,	:	
	:	No. 07 Civ. 07783 (AKH)
Plaintiff,	:	
- against -	:	
BEAR STEARNS ASSET MANAGEMENT INC.,	:	NOTICE OF MOTION FOR
et al.,	:	PRELIMINARY APPROVAL OF
Defendants,	:	SETTLEMENT AND ENTRY OF
- and -	:	PROPOSED ORDER FOR
BEAR STEARNS HIGH-GRADE STRUCTURED	:	<u>NOTICE AND HEARING</u>
CREDIT STRATEGIES, L.P.,	:	
	:	
Nominal Defendant.	:	
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PLEASE TAKE NOTICE, that upon the annexed Declaration with exhibits of Arthur V. Nealon dated August 31, 2011, the Stipulation of Settlement dated August 26, 2011 proposing settlement of this action (the “Settlement”), the proposed form of Notice of Proposed Settlement of Derivative Action and Settlement Hearing (the “Notice”) and Summary Notice of Proposed Settlement of Derivative Action And Settlement Hearing (the “Summary Notice”) and the accompanying Memorandum of Law, Plaintiff Navigator Capital Partners, L.P. (“Navigator”) will move this Court, before the Honorable Alvin K. Hellerstein, at the United States Courthouse, 500 Pearl Street, Courtroom 14D, New York, New York 10007 on September 16, 2011 at 10:00 a.m., for an Order, pursuant to Fed.R.Civ.P. 23.1(c) and Local Civil Rule 23.1.1:

- (i) preliminarily approving the proposed Settlement;
- (ii) approving the proposed Notice and Summary Notice; and
- (iii) scheduling a hearing at which to make final determinations regarding approval of the Settlement and the request by Plaintiff’s counsel for an award of attorneys’

fees, and for such other relief as the Court deems just and proper.

Dated: New York, New York
August 31, 2011

Respectfully submitted,

ENTWISTLE & CAPPUCCI LLP

By: _____/s/

Andrew J. Entwistle

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